UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 December 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10 and 12-14</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10 and 12-14</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>4/27/2006</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claim 1, 9, 13-14 are rejected under 35 U.S.C. 102(b) as anticipated by Spaur et al.

(5,732,074 hereinafter "Spaur") and is clarified by attached NPL reference "Proxy Server.PDF".

Re claim 1, Spaur discloses a method for access, by at least one client terminal connected to a first communication network, to the data and/or services of a server terminal connected to a second communication network, wherein said first and second networks can cohabit or form a single network, wherein said server terminal is a mobile terminal, and said method includes at least the following steps:

initialization of a communication session by the client terminal with the mobile server terminal;

(Spaur, figure 2, column 2, line 25-65: the computer terminal (claimed client terminal) initiates a communication session with the vehicle (claimed mobile server terminal) that contains a cellular phone)

establishment of the communication session by opening a direct communication tunnel between the client terminal and the mobile server terminal;

(Spaur, column 2 line 11 to 65, abstract, figure 2: Communication of information including data transferring between a remote computer and a vehicle is disclosed, and therefore the establishment of the communication session is also disclosed. Since a remote computer can

access said vehicle directly, then the direct communication tunnel is opened between said

remote computer with said vehicle)

(Attached NPL reference "Proxy Server. PDF" page 2, shows tunneling proxy)

so that said client terminal can consult information made available by the mobile server terminal

and/or

the client terminal can use and/or interact with all or some of the services of the mobile server

terminal. **(Spaur, figure 2, column 2, line 25-65)**

Re claim 9, Spaur discloses the method for access according to claim 1, wherein said

communication tunnel established between said client terminal and said mobile server terminal

includes http-type authentication means.

(Spaur, column 3 line 13 to line 29, column 2 line 25 to line 65)

Re claim 13-14, the apparatus claim 13 and 14 correspond to the method claim 1, and

therefore the analysis for this rejection has already been done

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

4.   Claim 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur as

applied to claim 1 above, and further in view of Liu et al. (US 2004/0120295, hereinafter "Liu").

Re claim 2, Spaur discloses the method for access according to claim 1, but fails to disclose wherein said second communication network comprises a wireless mobile communication network accessible through a security firewall.

(Liu figure 1D, paragraph [0030]: reference 108 is the security firewall that is crossed through by the transparent internal tunnel connecting the HA module with the MN module, wherein said internal tunnel is inside of MIP proxy 102. MIP proxy 102 is the tunneling proxy for direct communication between mobile node 120 and CN 110)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of Spaur and Liu as a whole to produce the invention as claimed with a reasonable expectation of having a MIP proxy or tunneling proxy for direct communication between mobile node and corresponding node, wherein said MIP proxy has an internal tunnel that crosses through a security firewall.

Re claim 10, Spaur discloses the method for access according to claim 1, wherein said communication tunnel established between said client terminal and said mobile server terminal includes secure data transmission means of the type using at least:

an IPSEC protocol;

(Liu, paragraph [0030]-[0031])

and a communication tunnel encryption protocol.

(Liu, paragraph [0030]-[0031]: IPSEC is a communication tunnel protocol that encrypts IP packet)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of Spaur and Liu as a

whole to produce the invention as claimed with a reasonable expectation of having IPSEC

protocol as the security protocol for communication tunnel established between the client

terminal and the vehicle.

5.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur as applied to

claim 1 above, and further in view of Porozni, Barry (WO 2003/010669, hereinafter "Barry")

and Liu.

         Re claim 3, Spaur discloses the method for access according to claim 1, wherein said

communication initialization step includes at least the following series of steps:

step A:

sending a first TCP (Transmission Control Protocol) request from the client terminal to a domain

name server;

(Spaur, figure 2, column 2 line 25 to 37: The computer terminal send a request (TCP/IP is

in figure 2) to the internet for information or data that is available from the particular

vehicle. Note that World Wide Web browser is disclosed and along with the internet,

therefore DNS (translate hostnames to IP addresses) is also disclosed)

step E:

sending a second TCP connection request by the second private proxy server, to a predetermined

communication port of the mobile server terminal;

(Spaur, figure 2, column 2 line 39 to line 42, column 10 line 65 to column 11 line 10,

abstract: Reference 68 (internet) is the first proxy server for the computer terminal.

Reference 76 is the second proxy server that links with the vehicle. The controller receives

request through a communication port (reference 144) from reference 76)

However, Spaur fails to disclose:

step B:

reception by the client terminal of a response to the first request, which contains at least one set

of predetermined parameters for connection to a first public proxy server belonging to the first

communication network;

(Barry figure 1: Reference 109 "Request End User Identity" is the response to the client

terminal. The "Request End User Identity" has parameter that is needed for end user to

connect to ISP authentication server because with it, then the ISP POP can collects the user

ID and password to combine into "RADIUS message Request Access" for the ISP

Authentication server)

(Barry paragraph [0031], figure 3, end user sends reference 308 (has IP address as

parameter) via reference 302 (first proxy server) to the reference 303 (second proxy

server))

step C:

connection of the client terminal to the first public proxy server, by means of predetermined

parameters, such as the IP address and/or communication port number;

(Barry, figure 1: End user send reference 110 to ISP POP, which then sends reference 111

to reference 104. Reference 104 is considered as first public proxy server before end user

can connect to reference 105 remotely. Reference 102 can also be considered as a proxy

server because it contains reference 104)

(Barry, figure 3: End user sends reference 308 (has IP address as parameter) via reference

302 to the reference 303)

step D:

transmission by the first public proxy server of a request to initialise a communication session to

a second private proxy server belonging to the second communication network in the form of an

access request signal;

(Barry figure 1: reference 113)

step F:

transmission by the mobile server terminal of an acknowledgement of the second TCP

connection request to the second private proxy server;

(Barry figure 1: reference 115)

step G:

sending a third TCP connection request by the second private proxy server to a predetermined

communication port of the first public proxy server;

(Liu, figure 1A, paragraph [0024]: Foreign agent 122 is the second private proxy server

that sends a request to the home agent 112 (first proxy server) for the mobile node 120.2)

(Note, Liu's home agent 112 can be a computer server, computer terminal or mobile

terminal. In Spaur's figure 2, cellular phone reference 80 is a mobile terminal that contains

direct communication port ref 144)

step H:

transmission by the first public proxy server of an acknowledgement of the third TCP connection

request to the second private proxy server;

(Liu, figure 1A, paragraph [0024]: The home agent sends an acknowledgement back to the

foreign agent)

step I:

transmission by the first public proxy server of an acknowledgement of the first TCP connection

request to the client terminal;

(Barry figure 1: reference 118)

so as to initiate said communication session and establish the opening of said direct

communication tunnel between the client terminal and the mobile server terminal,

(Barry figure 1: If reference 118 is granting access to end user, then end user can have

direct communication access to the company xyz.

Attached NPL reference "Proxy server. PDF" page 2 shows that a proxy server can also be

a tunneling proxy.)

wherein said tunnel passes through said security firewall.

(Liu figure 1D, paragraph [0030]: reference 108 is the security firewall that is crossed

through by the transparent internal tunnel connecting the HA module with the MN

module, wherein said internal tunnel is inside of MIP proxy 102. MIP proxy 102 is the

tunneling proxy for direct communication between mobile node 120 and CN 110)

　　　　Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur, Barry and

Liu as a whole to produce the invention as claimed with a reasonable expectation of opening up a

direct communication tunnel between the client terminal and the mobile server terminal, wherein

said tunnel crosses through a security firewall.

6.   Claim 4,6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur, Barry,

and Liu as applied to claim 3 above, and further in view of Kelton et al (US 2004/0125779,

hereinafter "Kelton").

Re claim 4, Spaur, Barry and Liu as a whole disclose the method for access according to

claim 3,

wherein said access request signal transmitted by said client terminal is of the type belonging to

the group including at least:

an SMS message;

(Spaur figure 2: Reference 60 includes computer terminal, browser, and modem, and

reference 80 is a cellular phone. Since cellular phone is disclosed, then SMS message is also

disclosed)

and an e-mail message;

(Kelton: paragraph [0086])

and wherein said access request signal includes a list of predetermined parameters.

(Barry, figure 1 and 3: reference 113 and 308)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur, Barry, Liu

and Kelton as a whole to produce the invention as claimed with a reasonable expectation of

having email message signal as the access request signal.

Re claim 6, Spaur, Barry, Liu and Kelton as a whole disclose the method for access according to

claim 4,

wherein said list of predetermined parameters includes at least one parameter corresponding to a

unique call number of the second server terminal,

(Spaur, figure 2, figure2: Computer terminal is using IP address as the parameter to access

the vehicle. Note that said vehicle includes a cellular phone, and cellular phone has its

unique phone number for its identification. Although it is not disclosed that a call number

is used, but IP address of the vehicle can be modified with the phone number of the cellular

phone inside said vehicle)

(Kelton: paragraph [0059]: Identification code (telephone number) is needed for access to

the public switch telephone network 66)

when said access request signal comprises an SMS message,

and/or corresponding to the type of the communication tunnel security protocol.

(Liu, paragraph [0030]-[0031]: internal tunnel, firewall, and IPSec protocol)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur, Barry, Liu,

and Kelton as a whole to produce the invention as claimed with a reasonable expectation of

having telephone number as one of the parameter used to have access to the remote site.

Re claim 7, Spaur, Barry, Liu, and Kelton as a whole disclose the method for access

according to claim 4,

wherein said list of predetermined parameters includes at least one parameter corresponding to

an e-mail address of said second server terminal,

(Kelton: paragraph [0086]: Email is disclosed, and email inherently has email address)

when said access request signal is of the e-mail message type.

(Kelton: paragraph [0086]: email application and web browser application are network access application for accessing the internet via wide area network 44. The request sent by ht client can be e-mail message)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one skilled in the art would have found it obvious from the combined teachings of Spaur, Barry, Liu, and Kelton as a whole to produce the invention as claimed with a reasonable expectation of having e-mail address as one of the parameter used to have access to the remote site.

7.   Claim 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur, Barry, Liu and Kelton as applied to claim 4 above, and further in view of Chen et al (US 6,842,456, hereinafter "Chen").

Re claim 5, Spaur, Barry, Liu and Kelton as a whole disclose the method for access according to claim 4, wherein said list of predetermined parameters includes at least parameters of the type belonging to the group including at least:

an IP address for identification of the first public proxy server at the origin of the access request signal;

(Barry, figure 1 and 3, reference 113 and 308: IP address is disclosed, which contains IP address of end user and also gateway IP address)

a communication port number for additional identification of the first public proxy server at the origin of the access request signal;

(Chen, column 5 line 48 to column 6 line 8: The source port number 34)

and at least one key for securing the communication initialization request step.

(Barry figure 1 and 3: Password is used as a security key to determine whether access will

be granted or denied)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur, Barry, Liu,

Kelton and Chen as a whole to produce the invention as claimed with a reasonable expectation of

having IP address and communication port number to identify for the first public proxy server,

and to have password as the key to secure communication initialization.

Re claim 8, Spaur, Barry, Liu, Kelton and Chen as a whole disclose the method for access

according to claim 5, wherein said

security key is a negotiation and/or encryption key.

(Barry, figure 1 and 3: Password is the security key, and negotiation is invoked when

company XYZ has to determine whether to grant or deny access for the end user)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur, Barry, Liu,

Kelton and Chen as a whole to produce the invention as claimed with a reasonable expectation of

having password as the security key to secure the initiation of communication.

8.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spaur as applied

to claim 1 above, and further in view of Haugli et al (US 2004/0125776, hereinafter "Haugli").

Re claim 12, Spaur discloses the method of claim 1 and further comprising performing

the steps of claim 1 in a field belonging to the group including at least:

wireless applications using Web services;

(Spaur, column 3 line 13 to line 29, column 2 line 25 to line 65: Internet, web browser)

on-board telemedicine applications enabling a physician to regularly access a mobile telephone

serving as a mobile server terminal,

so as to access and monitor the data of a patient,

who is the owner of said mobile telephone;

(Spaur, column 1 line 25 to line 40: Patient data can be communicated to medical personnel

at a remote location)

distributed interactive applications of the type including at least:

distributed games;

(Haugli, paragraph [0094]: Game packs)

on-board collaborative work applications on communicating mobile terminals.

(Spaur, column 1 line 25 to line 40: Patient data can be communicated to medical personnel

at a remote location, such as hospital. Is considered as collaborative work applications

because there could be multiple people (doctors and nurses) to prepare for the arrival of

the patient)

Motivation to combine may be gleaned from the prior art contemplated. Therefore, one

skilled in the art would have found it obvious from the combined teachings of Spaur and Haugli

as a whole to produce the invention as claimed with a reasonable expectation of adding game

packs into the computer terminal.

Contact

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to MUNSOON CHOO whose telephone number is (571)270-7140.
The examiner can normally be reached on Monday through Friday 7:30am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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